

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 16526

PERMIT 10828

LICENSE 8665

ORDER ALLOWING CHANGE IN PLACE OF USE
AND PURPOSE OF USE

WHEREAS:

1. Petition for change in place of use and purpose of use under License 8665 have been filed with the State Water Resources Control Board and said Board has determined that good cause for such changes has been shown.
2. License 8665 was issued to Don Barber, Zelma Barber and Irwin W. Lehrer and was recorded with the county recorder of Modoc County on June 28, 1968 in Volume 204 Pages 132 and 133.
3. License 8665 was subsequently assigned to Don Barber and Zelma Barber.
4. The Board has determined that these changes in place of use and purpose of use will not operate to the injury of any other legal user of water involved.
5. The State Water Resources Control Board has duly authorized the Chief, Division of Water Rights, to sign this order.

NOW, THEREFORE, IT IS ORDERED:

1. That permission is hereby granted to change the place of use under said License 8665 to a place of use described as follows:

Within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5, T39N, R5E, MDB&M

2. That permission is hereby granted to change the purpose of use under said License 8665 as follows:

DOMESTIC AND STOCKWATERING

Dated: AUGUST 11 1978

R. L. Rosenberger
R. L. Rosenberger, Chief
Division of Water Rights



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 16526

PERMIT 10828

LICENSE 8665

THIS IS TO CERTIFY, That

DON BARBER, ZELMA BARBER AND IRWIN W. LEHRER
C/O DON BARBER,
385 EAST 22ND STREET, COSTA MESA, CALIFORNIA 92626

HAVE made proof as of JULY 27, 1967 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
AN UNNAMED SPRING IN MODOC COUNTY

tributary to LITTLE HOT SPRING VALLEY (A CLOSED BASIN)

for the purpose of DOMESTIC USE
under Permit 10828 of the Board and that the right to the use of this water has been perfected in
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
this right dates from AUGUST 15, 1955 and that the amount of water to which this right is
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
not exceed FOUR THOUSAND EIGHT HUNDRED TWENTY-FIVE (4,825) GALLONS PER DAY TO BE
DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 80 FEET AND WEST 35 FEET FROM NE CORNER OF SE1/4 OF SE1/4 OF SECTION 5, T39N,
R5E, MDB&M, BEING WITHIN NE1/4 OF SE1/4 OF SAID SECTION 5.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

WITHIN SE1/4 OF SE1/4 OF SECTION 5, T39N, R5E, MDB&M.

THE ISSUANCE OF THIS LICENSE SHALL IN NO WAY BE CONSTRUED AS CONFERRING
UPON LICENSEE RIGHT OF ACCESS TO THE POINT OF DIVERSION.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUN 25 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward
Chief, Division of Water Rights

9/15/68 RECEIVED NOTICE OF ASSIGNMENT TO *John B. and Zelma Barber*